

AO 91 (Rev. 11/11) Criminal Complaint (modified by USAO for telephone or other reliable electronic means)

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

7/30/20

United States of America

v.

Antyne DOWNING

Case No. 3:20-mj-362

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/29/2020 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

21 USC s. 846 & 841(b)(1)(A)

conspiracy to possess with intent to distribute 500 grams or more of a mixture
or substance containing a detectable amount of methamphetamine, a
Schedule II controlled substance

18 USC s. 924(c)

possession of a firearm in furtherance of a drug trafficking crime

This criminal complaint is based on these facts:

See Attached Affidavit of Brad Dorman

☒ Continued on the attached sheet.



Complainant's signature

Brad Dorman, US Postal Inspector

Printed name and title

Attested to by the applicant and affirmed in my presence by electronic means.

Date: 7/30/20

City and state: Dayton, Ohio


Judge's signature

Sharon L. Ovington, US Magistrate Judge

Printed name and title

AFFIDAVIT

I, Brad M. Dorman, Postal Inspector, being duly sworn, do hereby depose and state as follows:

1. I am a United States Postal Inspector, having been so employed since August 2017. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the United States Postal Inspection Service with investigative responsibility for southeast Indiana, and southern Ohio. Your Affiant completed United States Postal Inspection Service Basic Training in August 2017. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the United States Mail. In addition to this formal training, I have worked since August 2017 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification.

2. I am charged with the duty of enforcing among other Titles, Title 18 and Title 21 of the United States Code, together with other assigned duties as imposed by federal law. This Affidavit is submitted in support of a criminal complaint, and seeks the issuance of an arrest warrant against, Antyne DOWNING and Donald Lynn HARDEN for violations of 21 U.S.C. § 846 and 841(b)(1)(A) (conspiracy to possess with intent to distribute 500 grams or more of methamphetamine, a Schedule II controlled substance); and a criminal complaint against, and an arrest warrant for, Antyne DOWNING also for a violation of 18 U.S.C. § 924(c) (possession of a firearm in furtherance of a drug trafficking crime). The information contained in this Affidavit is largely based upon an investigation conducted by your Affiant and other law enforcement officers. All of the details of the investigation are not included in this Affidavit,

rather only information necessary to establish probable cause of the above-described violations.

FACTS

FACTS SUPPORTING PROBABLE CAUSE

1. On or about July 28, 2020, I intercepted a Priority Mail Parcel (hereafter referred to as “the Parcel”) at the Dayton Processing and Distribution Plant (1111 E 5th St, Dayton, OH 45401). The Parcel was addressed to Gregory Mitchell, 5435 Meadowlark Ct Apt 7, Dayton, OH 45439 with a return address of Cates Closet, 19601 Castway Ln, Porter Ranch, CA 91326. The Parcel weighed 6 pounds 3 ounces and was postmarked July 27, 2020. The Parcel is further identified as Priority Mail Express Parcel, bearing Tracking Number EJ317737416US. Through my training and experience, I have learned of certain characteristics indicative of other U.S. Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed to/from a known drug source location, labeling information contains misspellings, labeling information contains fictitious names, the label contains an illegible waiver signature, unusual odors emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

2. On July 28, 2020, I queried 5435 Meadowlark Ct Apt 7, Dayton, OH 45439, the address listed on the Parcel, in the Consolidated Lead Evaluation and Reporting (CLEAR) database system. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. CLEAR indicated that Gregory Mitchell is not associated with 5435 Meadowlark Ct Apt 7, Dayton, OH 45439.
3. On July 28, 2020, I queried 19601 Castway Ln, Porter Ranch, CA 91326, the sender's information on the Parcel. CLEAR indicated that Cates Closet is not associated with 19601 Castway Ln, Porter Ranch, CA 91326.
4. On July 28, 2020, I obtained a federal search warrant which was then executed on the Parcel. Upon opening the Parcel, I removed bubble wrap and two vacuum sealed plastic bags. The vacuum sealed bags contained a crystal like substance with a total weight of approximately 2273 grams. A field test on the substance was performed with a positive result for Methamphetamine, a Schedule II controlled substance.
5. On July 29, 2020, at approximately 11:52am, the Parcel (the contents replaced with sham) was delivered to 5435 Meadowlark Ct Apt 7, Dayton, OH 45439, by a United States Postal Inspector, acting as a United States Letter Carrier in an undercover capacity. A Federal Anticipatory Search Warrant was also obtained for 5435 Meadowlark Ct Apt 7, Dayton, OH 45439, to be executed if the Parcel was taken in to the residence. As the undercover Postal

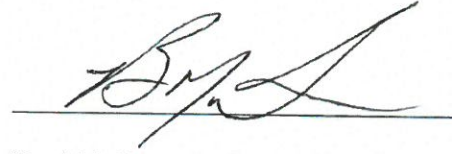
Inspector was walking up the stairs to the apartment, a male subject, asked the undercover Postal Inspector on the stairwell if the Parcel was going to apartment 7. The undercover Postal Inspector informed him it was and asked the male subject to show that he could gain entry to the apartment before he could take possession of the Parcel. The male subject was able to lawfully gain entry into apartment 7 and he took possession of the Parcel and entered the apartment.

6. After some time, law enforcement observed another male subject leave the apartment with the Parcel. He proceeded to a Black Dodge Ram Pick-up (OH Tag HSP9314). The male subject entered the passenger side of the pick-up and shortly exited without the Parcel. The pick-up began to leave the area.
7. Moving surveillance was conducted and followed the pick-up to 416 Stuckhardt Rd, Dayton, OH 45426. A male subject, later identified as Donald Lynn HARDEN, exited the vehicle with the Parcel and entered 416 Stuckhardt Rd, Dayton, OH 45426.
8. Law Enforcement organized and began to move in on 416 Stuckhardt Rd, Dayton, OH 45426. As law enforcement was approaching the residence, HARDEN was observed fleeing out the back door, jump a fence, and run between neighboring houses. HARDEN did have in his possession the Parcel that was delivered to 5435 Meadowlark Ct Apt 7, Dayton, OH 45439. HARDEN discarded the Parcel just after he jumped over the fence. Given HARDEN's flight from the residence and concerns that others were still inside of this location who might destroy evidence within it, law enforcement secured (but did not at that time search) the residence at 416 Stuckhardt Rd, Dayton, OH 45426. The resident, Antyne

Diavone DOWNING, was detained.

9. While law enforcement performed a security sweep of 416 Stuckhardt Rd, Dayton, OH 45426, they observed in plain view a handgun, large amount of currency, and other suspected narcotics. While DOWNING was detained, he was advised of his Miranda Rights. DOWNING stated he understood his rights and began to talk with law enforcement. DOWNING was asked about his criminal history and advised he had been convicted of a felony drug charge in 2010. When DOWNING was asked about the gun inside the residence, he stated he knew the gun was in there but it was not his. DOWNING also advised that law enforcement would find his fingerprints on the gun as he has picked it up but never shot it. He also indicated that he lived at the residence by himself.
10. A state search warrant was obtained for 416 Stuckhardt Rd, Dayton, OH 45426. While executing the search warrant, law enforcement discovered approximately \$10,000 in US Currency, over 1 kilogram of methamphetamine, and a FN Herstal Five-Seven handgun. Based on my training and experience, I know that FN firearms have become the weapon of choice of drug traffickers in Dayton, Ohio.
11. Based on the facts set forth in the Affidavit, your Affiant believes that there is probable cause to issue criminal complaints against, and arrest warrants for, Antyne DOWNING and Donald Lynn HARDEN for violations of 21 U.S.C. § 846 and 841(b)(1)(A) (conspiracy to possess with intent to distribute 500 grams or more of methamphetamine, a Schedule II controlled substance); and a criminal complaint against, and an arrest warrant for, Antyne DOWNING

also for a violation of 18 U.S.C. § 924(c) (possession of a firearm in furtherance of a drug trafficking crime).



Brad M. Dorman, Postal Inspector
United States Postal Inspection Service

Subscribed and sworn to before me on 30th July, 2020.



Honorable Sharon L. Ovington
United States Magistrate Judge

